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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 MARVELLOUS A.X. GREENE,

12 Plaintiff,

2;05-cv-0330-GEB-JFM-P

13 vs.

14 C.D.C., et al.,

15 Defendants.

ORDER

16 \_\_\_\_\_/  
17 Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action  
18 seeking relief under 42 U.S.C. § 1983. On April 23, 2009, this court issued an order granting  
19 summary judgment for defendants. Judgment was entered on the same day. On April 30, 2009,  
20 plaintiff filed a motion to vacate the judgment pursuant to Fed. R. Civ. P. 59(e) and to disqualify  
21 the undersigned pursuant to 28 U.S.C. § 455. Plaintiff has not shown any grounds that support  
22 setting aside the judgment or that warrant disqualification of the undersigned.

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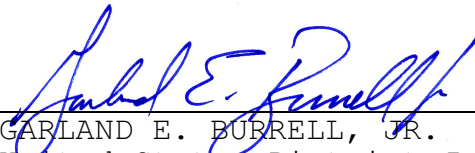
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1                   Accordingly, IT IS HEREBY ORDERED that plaintiff's April 30, 2009 motion is  
2 denied.

3 Dated: August 13, 2009

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6 GARLAND E. BURRELL, JR.  
United States District Judge